

**Kato, Linda**

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**From:** Kato, Linda  
**Sent:** Thursday, August 29, 2013 4:48 PM  
**To:** 'John Brunini'  
**Cc:** Heimdal, Monica  
**Subject:** RE: BIP 40

Mr. Brunini – we have no objections to this consultant. Feel free to engage their services.

Thank you for your prompt response.

Linda S. Kato  
Enforcement Counsel  
U.S. EPA Region 8  
Mail Code ENF-L  
1595 Wynkoop  
Denver, CO 80202  
(303) 312-6852  
[kato.linda@epa.gov](mailto:kato.linda@epa.gov)

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**From:** John Brunini [<mailto:jbrunini@brunini.com>]  
**Sent:** Thursday, August 29, 2013 3:03 PM  
**To:** Kato, Linda  
**Cc:** Heimdal, Monica  
**Subject:** RE: BIP 40

Ms. Kato and Ms. Heimdal,

Attached to this email, please find a statement of qualifications for Carlson McCain, Inc. BIP 40 is proposing to engage Carlson McCain to prepare the restoration plan which will be required in this matter.

Please contact me if you have any questions about the attached. If BIP 40's proposed engagement of Carlson McCain, Inc. to prepare this plan meets with your approval, please notify me so that we may formalize the engagement and Carlson McCain may begin drafting the plan as soon as possible.

Thanks,  
JB

**John A. Brunini**  
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**From:** Kato, Linda [<mailto:Kato.Linda@epa.gov>]

**Sent:** Thursday, August 22, 2013 5:40 PM

**To:** John Brunini

**Cc:** Heimdal, Monica

**Subject:** BIP 40

Mr. Brunini –

As I mentioned in my voice message, I am the attorney who has been assigned to handle the BIP 40 matter. I'm sorry we weren't able to connect via telephone, but I wanted to convey some information to you without further delay. I have been given a copy of your August 21 letter, addressed to Ms. Heimdal. Please note that we appreciate your client's desire to expeditiously commence restoration of the site. In order to make sure that it is completed without complication, a restoration plan should be drafted by your environmental consultant and submitted to Ms. Heimdal for review and approval. Once everyone is in agreement as to how the restoration should be conducted, the project may commence. Please advise your client that the work should not start until the plan is approved, and that we will work with your client to expedite this matter.

As a first step, please have your client submit the name and qualifications of the environmental consultant to Ms. Heimdal, who will notify your client if there are any objections to the consultant. The consultant should then prepare the restoration plan according to EPA guidelines, which I have attached here. If the consultant or your client has questions about the development of the plan, please refer them to Ms. Heimdal.

In the meantime, we will be preparing a draft Administrative Order on Consent for your review. This document will formalize our agreement regarding restoration of the site. If you have any questions regarding our agreement or agency procedures, please feel free to call me. Any questions from your client of a technical nature should be directed to Ms. Heimdal.

Thank you for your cooperation. I look forward to meeting you.

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